G. R. S. 58
Previous references.

File No. 4,8 of 02-3

1907-8

Serial Nos. 1—7

(Sep. Reve)

Later references.

B. Cirgll. 881-2. S.R 110-10

S.R 86-16 & 112, K. Sept. 16.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—7

Part B. for January 08

SUBJECT.

Iravandars claim to the Todday revenue of the Kayamguttai Hyakanur village, Tirumakudal Taluk, Mysore District

1) From the Excise Comm^r No. 4574/24 dt 7.2.03 submits with his opinion the records of enquiry relating to the claim of the Kayamguttaber the Todayrevenue of Hyakanur village

2) To the Excise Comm^r No. 706 of 16.6.903 Calls for certain information regarding the claim to Todayrevenue of the village

3) From the Excise Comm^r No. 439 of 13.3.04 furnishes the information required

4) To the Supdt of Inam Settlements No. H. 6593 of 7.4 Enquires how certain Devadanams

GPB.-8,000—7-4-08

can be reconciled and whether the terms of the Inam Settlement were not communicated to the Inamdar & local authorities

5) From the Inam Supdt. No. 1193 24.4.06

Submits the report as to the legitimacy of the Inamdar's claim to the toddy revenue of the Village

6) From the Excise Comr No. 4719 & 19.6.06

Submits the record of enquiry relating to the claim of the Inamdar of Hyakanur to the toddy revenue of the village.

7) To the Excise Comr, Comptroller and the Inam Supdt No. 72-3753-5 & 30.1.08

Re comprises with certain limitations the Inamdar's claim to the toddy revenue of the village.

SOR 488/1902-03 (1)

OFFICE OF THE DEWAN OF MYSORE,

(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

Subject. Inamdars Claim to the Coody perquisite of the Karyam called Hyekanoor village Tl. Nanjangud Taluk, Mysore District

Encl Commissioner's letter no. 4574/242 dt 7/11/1902

Note.

It is not quite clear when this village was alienated but from the inamdars statement dt 16/11/1901 it appears it was alienated in 1822

The present inamdar is the son of the purchaser of the village in a public auction in satisfaction of a Civil Court decree in June 1860.

The Sarvadhikari procures there is a grove & a Coody established in this village the

---

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

‡ 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

Shows the amount
received by his predecessors
& himself year after
year on account of toddy
revenue from 1821 to 1891-2
the amount thus received
ranges from Rebout Rs 57/-
to 1861 but year though
the increase was actually
enjoyed the toddy revenue
at the time of the measu-
re Element Condemned
in 1879-80, it was ordered
that "all Govt. rights to
'Alkan and 'Forest' are-
received," Here the word
"Alkan seems to have
been used to mean "toddy
In spite of such preservation
the inamdar has been
suffered to Continuously
enjoy the toddy revenue

Dr 488 90203 (4)

Sanjiv Mathur (about the allegations made by the insured & the documents relied by him, the investigating officer (Mr. C. Venkatrao) has recorded, under a wrong impression, that the insurer settlement has conceded, the claim of loss to the insured & that therefore no recognition to the claim

The opinion of the Dy Comr is not sustainable — he does not seem to have appreciated the opinion of the Asst Comr who under-stated the claim under the orders as per rule 28

In this connection it is ruled that the Dy. Comr

Mysore District has in none of the cases of Mal-Uruvalu now before Court, expressed his opinion — But the Sessions Court has disallowed the Claim stating that the Samasa does not concede "Akkani" to the inamdar, that the inam Settlement has preserved it.

~~If the Land Acquisition~~

~~is not to be considered~~

Submitted for orders.

Peter
15/4/03. This is a case in which the holder of the village is not entitled to the Toddy revenue under either the Samasa or the Inam settlement But it appears from the assistant Inam Comm's note of 7/8/79 that the holder

S.R. 288/G02-03 (6)

was in enjoyment of the toddy revenue
since the date of grant of the village.
The only point to be considered,
before rejecting the Kayempattadar's
claim, is whether the case
falls under rule 20 or whether the
enjoyment for 50 years prior
to 1892-93 can be proved.

Hail.

16/4/03

Sd/

I think a report should be called
for explaining why the Inamdar
was allowed to enjoy the abkari
without break notwithstanding
that the orders &c were
against his claim. Draft
submitted for approval.

Sd/
17/4/03

The Diwan
through the
Judy Comm.

A further enquiry is likely to
result in no useful purpose. I
would settle the Question once for
all after hearing the Kadi concerned.
He may be called to attend
with such documents as may be in

his possession on
Saturday the 30th inst. at
10 A.M. at the Kacheri
office. He is expected to
attend at the time
mentioned.
Dated 19th April 1903.

19-4-03.

Sd/
18-6-03.

(3)

SDR 4680/1902.03

The enquiry proposed may be made - I don't see the drift of the file - H

31/5/03

Put up draft

Draft settled

24/6/03 Issue

4/6/03

2 To the Crown Court

No 706. of the 16th June 1903

Enquires how the

Defendant was allowed to enjoy

the Tolls pretence without break

notwithstanding the generation

of this pretence & Court of the

Crown Settlement & how far

the pleas proffered by the Defendant

support his right

---

3). From the Crown Court

No 439. of the 13th March

States that no proper

explanation could now be

Serial No.

found for the Inamdar having been allowed to enjoy both revenue previous to 1892-93 when the Inamdars used to settle the business with the Govt monopolists & that the patels referred to by the Inamdar would bring his case under rule 20, but defers his opinion in the matter till he refers to the Jamabandi Chitta of the village for 1821-22 and 1825-26.

The Inam Settlement has preserved the both revenue (Alekari) to Govt but in the list of villages entitled to this revenue furnished in 1864 to the Dy. Comr by the Inamdar before the village in question is included. This needs explanation. It must also be ascertained whether the fact of preservation was communicated to the local authorities & the Inamdars so that the subsequent enjoyment of this revenue by the latter may discontinue. A draft calling for the above is ruled for approval. The Jamabandi Chittas required by the Extra Comr have been called for from the Vernacular records & they will

NOTE—Contn. sheet

GPB—50,000—23 10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 48 of 1902

Serial No.

be sent to him soon after the receipt
Sd/ to Secy mnk 2-4-06
Issue 3/4/1906
mnk 2/4

Prepare 4.4.1906 mnk 4/4/06

4. Do the Supdt of the Salem Settlement
No 6593 of the 7th April 1906
Requests he requires how
certain discrepancy pointed out can
be reconciled & whether the
terms of the Jeroam Settlement
were not communicated to
the Tahsildar & the local authorities

5 From the Superintendent of Jeroam Settlements
No 169 of the 24th ultimo
States that in as much as
Todoy as distinct from Alekani was
not reserved it was regarded as
conceded that in the Settlement
Report the term "Alekani" meant
all other items of the revenue
of the Todoy; that the villages in

Note—Contn. sheet

GPB—50,000—23 10-05

G.R. 12]
General and Revenue Secretariat.

File No. 48 of 1902

Serial No.	
	in question was therefore included in the list pertaining to the Dharwar in 1886 and that it was not usual to communicate to the parties the terms of the settlement
6	From The Excise Commissioner no. 4719 of 19.6.07 Submits the record of enquiry relating to the claim of the Inamdar of Hyakanoor to the toddy revenue of the village
P.	Before a claim to the toddy Excise revenue is admitted it should be satisfied that the revenue has been alienated by competent authority & that the holder has enjoyed the revenue for 12 years. (vide para 1 in G.O. no 638-47 dt 28/5/03) Special attention has also to be paid to the instructions contained in rules 18 to 20 in G.O. no 2074-83-R.A. 166-92 dt 18/8/01 as per Cl. 3 of Rule 18 regd to the Inam Settlement & the
Q.	

Note—Contn. sheet

GPB—50,000—23 10-05

Serial No.

Title deed should be the starting point & where the terms of the Inam settlement are not clear the Second clause account of the year in which the village was alienated should be consulted.

Where ~~the Inam~~ village was settled by the Inam Dept in 1879-80.

When he first reported upon the claim in 1903, the Revenue Comp stated that neither the Second nor the Inam settlement Conferred the Revenue & the Karyeeru alienation not therefore entitled to ch. while the Company was of opinion to the contrary depending upon a statement furnished by the Inam Department showing the villages that were entitled to the Todi Perquisite. On accounting into the discrepancy the ~~personal~~ Inam

R

T

Note—Contn. sheet

GPB—50,000—23 10-05

Serial No.

U

Supdt Col Grant stated that "inasmuch as todz as distant "from Alekari was not "received it was refused "as conceded. In the settle- "ment preparation the terrce "Alekari' mend all other "items of excise revenue exce- "todz and the village was "therefore included in the "list sent to the Govt in 1888 (vide his letter no 119 dy 24/4/05)

The Excise Comr also refers to the of the same discussion (vide his letter recorded dy 1905 which is inconsistent with what he expressed in 1903)

The Inam Settlement is based upon the instructions

V

contained in Go. nos. 3697-Rev 30

IV

dy 8th Oct 1873 and 1291 7. Rev. 363. dy 20th March 1877. Unless it can be proved that the patta prepared in 1878 Malkarnal or minor dy 1st Aug 1874. or the terms of that grant contained the item of revenue in question, the above prescription of

X

Note—Contn. sheet

Serial No.

From No. 30

The Excise Commissioner's Memorandum does not seem acceptable. The Vernacular records have to be consulted on this point.

Failing this there is ample evidence of acquiescence (because unauthorized) to give the Cadambas special treatment under rule 20. in which case a doubt arises as to whether the Rayas Sulthan has to be allowed a permanent or hereditary right to the revenue inquestion or only for limited period as directed in Govt. of 8th Oct. 73 and 20. March 1877 pref. b. Submitted for orders

Yes - Please send the file to the Vernacular Records Branch for noting such information bearing on the claim as may be available there.

5.8.17

Bellary
4.7.07.

rec'd 6-8

To. No 33

G. R. S. 12]
General and Revenue Secretariat.

File No. 48 of 1902

Serial No.

[illegible]

Flag D.
[illegible]

Flag C.
[illegible]

R. S. 12]
General and Revenue
Secretariat.

File No. 48 of 1902

Serial No.

1810-11 to 1834-35
1st Style

NOTE—Contn. sheet

GPB—50,000—25.2.07

Serial No.

G.R.S. 12j
General and Revenue Secretariat.

File No. 48 of 190 2

(17)

Serial No.

Flag. I

(1)

Flag. 2

(2)

(3)

Note—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 48 of 190 2

Serial No.

Flag. 3.

Flag. 4.
ಬಲಾಢಿತ್ಯನ
ಶಯ್ಯಶತಿಂಗಿ-ಇಂದ

*

✓ ||

Note—Contn. sheet

✓

GPB—50,000—23-10-05

G.R.S. 12j
General and Revenue Secretariat.

File No. 48 of 1902

(19)

Serial No.

Flag 5.

Note—Contn. sheet

GPB—50,000—23-10-05

Serial No.

Kay. 6

ಉತ್ತರ -

ಇನಾಂದಾರರುಮಿರಾಸಿನಲ್ಲಿ
1845-46ನೇ ಸಾಲಿನವರೆಗೂ ಸಂವತ್ಸರದಲ್ಲಿ
ಶಿವಪ್ಪನಾಯಕನ ಸರಕಾರದಲ್ಲಿ ಕೊಟ್ಟಿರುವ
ಗ್ರಾಮಗಳು ಎಂದು ಹೇಳುತ್ತೇವೆ. ಇಲ್ಲಿ
ಉಪಇದ್ದವರುಳಿದವರು ಅನುಭವದಲ್ಲಿ ಬಿಟ್ಟ
ದಲ್ಲಿ ಕೊಂಡಿಗ್ರಾಮ ಎಂದು ಹೇಳುವುದು ಸರಿಯಲ್ಲ
ಈ ವಿಶೇಷಾಂಶವನ್ನು ತಿಳಿಸಲಿಕ್ಕಾಗಿ
ಗಳ್ಳು 1861-1862ನೇ ಸಾಲಿನಲ್ಲಿ ಸಂವತ್ಸರ
ದಿಂದ ಇಲ್ಲಿನ ಅನುಭವದಲ್ಲಿ ಬಿಟ್ಟ ಗ್ರಾಮಗಳು
ಇನಾಂದಾರರುಮಿರಾಸಿನಲ್ಲಿ ಬಿಟ್ಟಿರುವುದರಿಂದ
ಗಳ್ಳಗ್ರಾಮ ಅಂತ ಹೇಳುತ್ತೇವೆ. — ಇಕ್ಕೇರಿ
ಅರಸರ ಕಾಲದಿಂದ ಬಿದನೂರಿನ ಅರಸರ
ವರಾತ್ರಕ್ಕೆ ಇನಾಂದಾರರಿಗೆ ಕೊಟ್ಟಿರುವ ಗ್ರಾಮಗಳ
ಹೆಸರುಗಳು ಆಗಲಿ ಮತ್ತು ಅವರ ಹೆಸರುಗಳಾಗಲಿ
ವಿಶೇಷವಾಗಿ ತಿಳಿಸಲು ಪ್ರಕೃತ ಸಂದರ್ಭದಲ್ಲಿ
ವಿಷಯವಾಗದ್ದರಿಂದ ಅದನ್ನು ತಿಳಿಸದಿರುವುದಾಗಿ
ತ್ತೇವೆ -

ಸನ್ 1835-36ನೇ ಸಾಲಿನಲ್ಲಿ ಶ್ರೀಸಂವತ್ಸರದಿಂ
ದ ಕಾಲಂಗಳಲ್ಲಿ ಅಂತ್ಯದಲ್ಲಿ ಬಾಕ್ಸ್ ಕಾರ್ಡ್
ಕ್ರಮವಲ್ಲದೆ ಇತರೆ ವಿಧದಲ್ಲಿ ಇರುವುದಾಗಿ ಸಂದರ್ಭ
ಕ್ಕಾಗಿ ಅದರಹಿಂದೆ 1810-11 ನೇ ಸಂವತ್ಸರ 1834-35
ನೇ ಇಷ್ಟಲು ಸಂವತ್ಸರದ ಆಯ್ಕೆಯ ವಿಷಯವಾಗಿ
ಬಾಕ್ಸ್ ತೆರೆದು ಸದರಿ ವಿಷಯವನ್ನು ಕೊಟ್ಟಿರುವ ಕಾರಣ
ವಿವರಿಸಿದೆ.

Kay. 7-8
ಶಿರಸಂಗಿಲಿಯ ತಕ್ಕೆ
ದಪ್ತರದಲ್ಲಿನ. 309
(ಪ್ರಸ್ತುತ 9-10)

ಸನ್ 1834-35ನೇ ಇನಾಮಿವಿಲೇವಾರಿಯಲ್ಲಿ ಅಪ್ಪಿ
ಗೌಡಿಕೆವಿಚಾರ್ಣೆಯಿಂದ ಬಂದಿರುವ ಕಾಲಂಗಳು
ಕಾಲ್ಲಾಂಕಿನ ಅನುಭವದಲ್ಲಿ ಬಿಟ್ಟ ಸಂಬಂಧ

NOTE—Contn. sheet

GPB—50,000—23-10-05

Serial No.

2.

3rd Sheet

Flag. 9.
(ప్రాబె 96)

GPB—50,000—23-10-05

G.R.S. 12J
General and Revenue Secretariat.

File No. of 190

Serial No.

Flag. 10

G.R.S. 12]
General and Revenue Secretariat.

File No. 48 of 190 2

Serial No.

[illegible]

13-8-07

The above memorandum Notes seems to show that 50 years uninterrupted enjoyment prior to 1892-93 Commen-

Note—Contn. sheet

GPB—50,000—23-10-05

G.R.S. 12]
General and Revenue Secretariat.

File No. 68 of 1902

Serial No.

also be considered to have been established

Solicitor for orders

Office 4/8/07

mr

The right to abkari was not conceded by the Sanad granting the Village and it was expressly reserved to Govt at the Inam Settlement and so the claim can only be founded on long unauthorised enjoyment. The documents produced by the Inamdar do not however conclusively establish his enjoyment of this item of revenue. mention is made in them of certain items of excise revenue but there is nothing to show if such revenue was receipt by the Inamdar himself. Usual muchalkas executed by toddy contractors or Inamdar's acknowledgements for receipt of money paid by contractors are not produced to establish

NOTE—Contn. sheet

GPB—50,000—23-10-05

Serial No.

enjoyment but no such documents have been sent in the present case -

In the Jamabundy accounts for the year 1861-2 referred to on pages 21 and 22 of these notes, the alienated portion of the Sayer revenue of the Taluk is distinctly mentioned while there is no such reference in the case of the Excise revenue. From this it may be inferred that the whole of the Excise revenue of the Taluk belonged to Govt and no portion of it to any Inamdar of the alienated villages of the Taluk, of which Hyakanur is one. The Merchant who conducted the Inam Enquiry in 1879 however referred to the enjoyment of the revenue by the Inamdar but the evidence produced can not be held to establish enjoyment for a period of 50 years prior to 1891-2. The information contained in the note of the Vernacular Records Branch shows that it is probable that this item of revenue was collected by

Serial No.

The Inamdar ~~and~~ In the absence of more reliable evidence than has been produced to prove enjoyment it seems the claim has to be totally disallowed —

~~Init.~~ 13.9.07

4437/1907 Gene Seen) Submd to Govt

18/9

With regard to the absence of mulchalkas as noticed at pages 24-25 of these notes by Mr M. R. Krishnan Asst Collr in his appeal in the Mysore District Judge's Judgt in Revenue case 6 of 1898-99 from which it would appear that a series of four Todda contracts did execute agreements to the Inamdar. Their names & other details are given in the claimants' Enquiry Note of 28 Oct 1903. The amounts covered in these agreements can only denote what payments were made or agreed to be made. But what they represent, whether Tree Rent only or Tree Rent & Excise, in the latter case how much is for the one & for the other there is a different question. Would like to have a further expression of Mr Asst Krishnan's views — Thro Collr

To Mr M. R. K. Row

8/10

From No 65 ... my order is mainly based on the information supplied by the Vernacular Records Branch and I shall discuss the matter with Rajadas when he may be asked to see the file and

NOTE—Contd. sheet

GPB—50,000—25-2-07 A 1161

To Rajadas Pro V Records

G. R. S. 12]
General and Revenue Secretariat.

S. R. File No. 48 of 1902-3

Serial No.

No. Dw 58.

ಆಸ್ಥಾನದಲ್ಲಿನ ಸಿಬ್ಬಂದಿಯವರ ಸಂಬಳಗಳಿಗೆ
(ಪೈಕಾಷ್ಟಿಲಲ್ಲಿ ಬಾಕಿಯಿರುವುದರ)
ಈ ವಿಷಯದಲ್ಲಿ ಒದಗಿದವು ಪ್ರಸ್ತಾವದಲ್ಲಿ
ಗಳನ್ನು ಸ್ಪಷ್ಟಪಡಿಸಲು ಅವಶ್ಯವಾದ ವಿವರಗಳನ್ನು
ಈ ಕಛೇರಿಯ ದಿನಾಂಕ 13-8-07 ನೇ ಪತ್ರದಲ್ಲಿ ಆಫೀಸಿನ
ಪೇಷ್ಕಾರರಿಂದ ತೆಗೆದುಕೊಂಡಿರಬೇಕಾಗಿದೆ.

ಸಂಬಳದ ಲೆಕ್ಕಗಳಲ್ಲಿ ಸಾಕಷ್ಟು ಬರವಣಿಗೆಯನ್ನು
ಬಾಕಿಯಿರಿಸಿದ್ದಕ್ಕಾಗಿ ಅವರಿಗೆ ಈಗಾಗಲೇ
ಮೇಲಧಿಕಾರಿಯವರಿಂದ ತಕ್ಕ ಬುದ್ಧಿವಾದ
ಹೇಳಲಾಗಿದೆ.

17.10.07

Submitted.

ASR
30/10.

I discussed the case with Raja Rao of the Vernacular Records, who is not able to say anything with reference to the genuineness of accounts subsequent to 1863 or in regard to the Mutchalikas produced by the Amildar before me by Comm. in 1889. He suggests that the annual accounts furnished by the Amildars to the District since 1863 if available may be obtained. Likewise I find that a circular Order was issued by

If any more papers contain anything about the 3rd Stage and the Mutchalikas produced by the Amildar examine them and put up your opinion.

Evidence of enjoyment to the title is partly
1) 1821-22 - Not attached.
2) 1835-36-61 - Doubtful
3) 1862-63 1891-2 - No order Survey settlement Mutchalikas Division 99 of in 1890.

GPB—50,000—25-2-07

. R. S. 12]
General and Revenue Secretariat.

File No. 468 of 1907

Serial No.

The chief Commr is referred to in the Copy of the Mutchelikai in the file, which may be heard and dealt of.

18
9-11-7

Sd/-

Please See Notes of 2/4/1879 Contained in pages 292 & 293, Part II of the Mysore Gazette of 5/4/1879. Gazettes Contg. Notes relating to other years are not available. As regards the leases from 1881 & onwards please See the extracts in the Collection of Inam orders published by

Sd/-
11/12/07

Resubmitted to the Ld. Commissioner for orders.

18
16/12/7

5176
17-12-1907

This is a case in which the holder of the alienated village (Aryakaran) is not entitled to the Sadly Revenue of the village whether under the Inam or under the Inam Settlement. But it is evident that he has long been in enjoyment of it. The Inam Assistant's Notes of 11 July 1879 and 7 August 1879 show this. The Mysore

Sd/-

C 1
Routine notes below

N

V

NOTE—Contn sheet.

GPB—50 000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 466 of 1907

Serial No.

Dept'l Judgment in Revenue Cases Nos 6 of 1906-07 shows that a series of Govt Contractors have executed agreements to the Amaldar binding themselves in varying amounts which in the circumstances may fairly be taken to include both Free Rent and Excise, for there has always been a Toddy Shop in the Village as well as Date trees - It is thus a case falling under Rule 20 of the Rules of 1901 - The Toddy Revenue of the Village may be conceded in full to the present holder, and in one moiety to his successor in title -

Please draft an order accordingly for the Dewan's Concurrence -

Sd/ M Devadoss

18 21/12

Submitted to Diwan

Sd/ [illegible]

18 23/12.

23/12/07.

7455 28.12.07

23/12

Sd/ [illegible]

Sd/ 1/1/08

subd: to 1st Councillor for perusal.

Sd/ [illegible]

Seen

Sd/ [illegible]

15/1/08

NOTE—Contn sheet.

GPB—50 000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

File No. 48 of 1902

Serial No.	
7	To the Excise Commissr the Comptroller the Inam Superintendent. No - 3753-5 & 30/1/08. Recognizes, with certain limitations, the Inamdars claim to the toddy revenue of Kanyamputta Hyatkanna village T. Narsipur Dy.

NOTE—Contn sheet.

GPB—50 000—17-3.07

Excise Commissioner's Office (1)

No. 4574 Enclosure file dated 7th February 1903

242

From

P. N. Purnaiya Esq.

Excise Commissioner

in Mysore

To

H. V. Nanjundiah Esq.

Secretary to Government

General & Revenue Department

Sir,

In submitting herewith the record of enquiry relating to the Jodi of Hyakanoor Kayamguttu Village, T. Narasipur Taluk, I have the honor to state that the investigating Officer's opinion that the Inam Settlement has conceded Jodi Revenue to the Kayamguttadar, is incorrect. The Samaad of the Village has not conceded Abkari Revenue to the Kayamguttadar. The Superintendent of Inam Settlements

Ex 249
14/2/03

8870
14 FEB. 1903
1903

FROM C. A. Parnaiya Esq:
Excise Commissioner
in Mysore.

To H. D. Mayandiah Esq:
Secretary to Government
General & Revenue Department
— Mysore.

Dated 7th February 1903

Despatched 11 — do

Received

General No. 45-74

No. 242

Enclosure No. 1 file

Subject

Submitted with his opinion on the records of enquiry relating to the Toddy Revenue of Hyakanoor Kaiyan-gubba Village, T. Narasipur Taluk.

Ex
14.2.03

Noted with regret

Issue
15/4/03.

after finally reading the Sanad has ordered on 15th March 1880 — "All Government rights to Abkari and Forests are reserved". Accordingly only $\frac{1}{5}$th of the rent of the "Ugrone Farm" is payable to the Kayamgutta under Rule 4 in Government Proceedings No. $\frac{2074-83}{R.D.166-92}$, dated 2nd August 1901."

I have the honor to be

Sir,

Your most Obedient Servant

Sd/ [illegible]

for Excise Commissioner

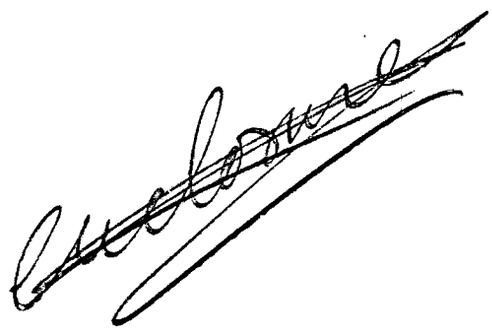
in Mysore

SDH

2) Docket — No 1902-05706 ~~Ep 7/2/05~~ (2)

by 11/6/03.

Do Necessie Comee
in Mystone

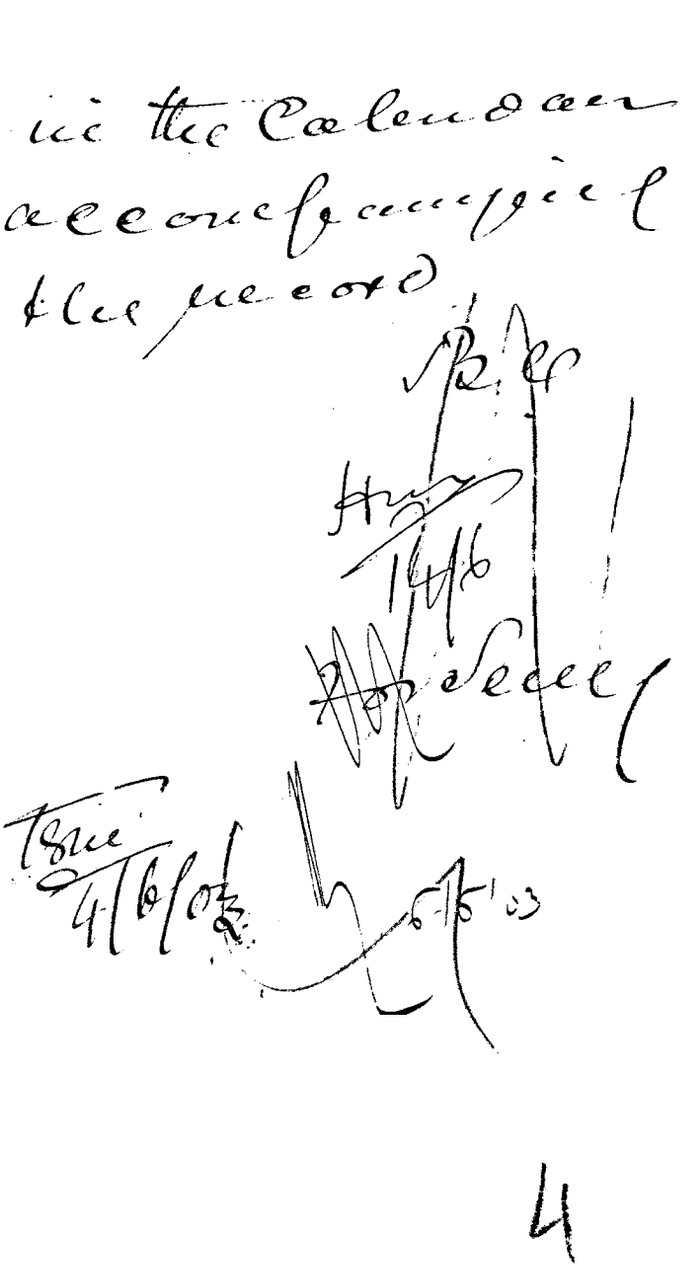


Hoboken-no.
4574-2429 7th Feb 03
Subg. the record of
exequatur relative
to the inheritance
claim to the property
presence of the
Hydrakaner Kaufmann
Gustav Wallach in
the T. Nassauischen M

In pursuance of
the exclosure I
proceeded with
the above lecture
honored to request
the at ~~the Legate~~ he
~~Comee~~ will be
good enough

to set forth as to
which the income
was allowed to
exist, the today
existence — which
should materially
affect, the Revenue of the ~~Revenue~~
& ~~affect~~ the
the Income Settlement
~~was received it~~
~~to set~~.

It should also
be provided, how
far the existence
of, by the income
set forth his claim
the account due
to the income for
certain succeeding
the various systems
of taxation.
& the account already
received from years,
should be accounted
~~for~~ specified



4

S.R. 688/1902-03/3828 (3) R

3/Telcon No. 439/Encl 2 in file OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

DATED BANGALORE, 13th March 1906.

From

P. N. Purnaiya Esq. B.A.

Excise Commissioner in Mysore.

To

B. K. Venkatavaradiengar Esq.

Secretary to the Government of His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

16/3/06

Adverting to your docket No. 706 Ex.H. 12-01 dated 16th June 1903 anent the Inamdar's claim to the Toddy Revenue of the Kyatanur Kayamgutta village T. Narasipur Taluk, I have the honour to state that no proper explanation could now be found for the Inamdar having been allowed to enjoy Toddy Revenue previous to 1892-93 The present System of Selling Inam Shops individually was not in force then and the Inamdars were Settling the business with the Government

monopolist

monopolists.

2. The papers referred to by the Inamdar would bring the case under Rule 20 of Government Proceedings No 2074-83 R. H 166-92 dated 12th August 1901. I would defer my opinion in the matter till I refer to the Jamabandy Chitta of the village for the years Vishu' 1821-22 and Parthiva 1825-26 which may kindly be forwarded for reference

3. Copies of the Deputy Commissioners Nos 231 dated 9th January 1904 and 98 dated 28th February 1906 are submitted with their enclosures.

I have the honour to be,

Sir,

Your most obedient Servant

R. G. Pradhan

I/C Excise Commissioner

Gmb

Enclosure (1) 1903-04

Docket No 231/07 9/1/04

From B. K. Venkataravaradevigar Esq
Deputy Commissioner
Mysore District

To P. N. Purnaiya Esq B.A
Excise Commissioner in Mysore

Dated 9th January 1904

Despatched 13

Received

General No. 231

No.

Enclosure No.

His O. M. No 7728/263 dated the 18th June 1903 returning the records of enquiry into the claims of the Inamdar of the Ayakanur village in the T. Narasipur Taluk to its toddy revenue for furnishing further particulars

—a—

With reference to the above has the honour to state that the documents mentioned by the Inamdar in the list furnished by him show that the Inamdar has long been in enjoyment of the toddy revenue of the village. In the copy of the list of the villages entitled to toddy

toddy revenue furnished by the Inam Superintendent, the above Hyakanur village is included; and an extract therefrom is herewith forwarded for information. It will therefore be seen that the Inamdar is entitled to the toddy revenue of the village.

2. The financial statistics of the village have been called for from the Amildar concerned and a Statement in the form prescribed by the Excise Commissioner will be prepared and forwarded as soon as the Amildar's reply is received.

3. The records received with the above are herewith returned.

4. A memo of facts urged by the Inamdar in proof his claim to the toddy revenue of the village is also herewith transmitted.

(Sd) B. K. Venkatavaradaiengar
Deputy Commissioner
Mysore District.

Copy

R. Gopalaiengar
For Excise Commissioner

Letter No 98 enclosure (2)

~~Office of the Deputy Commissioner Mysore District~~

Dated 28th February 1906.

From

H. H. Sparkes Esq

Deputy Commissioner.

Mysore District

To

P. N. Purnaiya Esq B.A

Excise Commissioner in Mysore

~~Sir,~~

With reference to your docket No $\frac{605-3}{220}$ dated 24th January 1904 anent the Toddy Revenue due to the Inamdar of Hyakanur T. Narasipur Taluk, I have the honour to state that the exact amount payable to the Inamdar under the various Sytes cannot be calculated before the Inamdar's title to Excise Revenue is settled by Government As per Rule 4 of Government Notification No 2074-83 - R. F. 166-92 dated 22nd August 1901, $\frac{4}{5}$ of the grove rent will have to be deducted if the Inamdar is not entitled to Excise Revenue and the can only be done after the claim is disallowed by Government The amount advanced to him has been entered - The records are herewith resubmitted

I have &c

"Copy" (Sd) A. K. Sykes Typerwar

True for Excise Commissioner. For Deputy Commissioner Mysore District

G.R.S. 26]

File No. 48/02

Serial No. 4

Diary No. of letter replied to 3828 (4)

Letter No. H 6593

Dy 7/4/06

General and Rev. Secretariat
(S.R.C.)
the 7-4-1906.

To

The Superintendent
of Inam Settlement

Date of issue do

Signed by W Stuart Kennedy

Sir,

With reference to the Inamdar's claim to the toddy revenue of the Kaiyangeri Hyaka near village in the T. Nanjipur Taluk of the Mysore District, I am to observe that this village is included in the list of villages entitled to the toddy revenue, furnished from your office to the Deputy Comr. of the Mysore Dist. in December 1888, while

over.

SUBJECT.

the Inam settlement
conducted in the year
1879-80 has reverted
to Govt. the Salkari
revenue of the above
village and to re-
enquire how the discrepancy
can be reconciled -
I am also to request
the favor of being
informed whether the
terms of the settlement
were not communicated
to the Inamdar and
the local authorities.

I have &c

4-4-86

Secretary

List of enclosures,

4-4-86

Copied by

Examined by

MGCPB—20,000-19-12—04.

5

Letter
No. 119
Rec. 1.
dated

~~Inam Superintendent's Office~~
Bangalore d/ 24th April 1906.
25th

from the Inam Supdt to

The Secretary to the Government
of Mysore
General & Revenue Department.

Sir,

With reference to your letter No. Jl. 6593 / S.R. 48-02-4 dated 7th April 1906, I have the honor to state that in as much as toddy, as distinct from Abkari, was not reserved, it was regarded as conceded. In the Settlement-Register, the term "Abkari" meant all other items of Excise revenue except Toddy; and the village was, therefore, included in the list sent to the Deputy Commissioner in 1888.

2. It was not usual to communicate the parties the terms of the Settlement.

3. A Copy of the Inam Register of the village in question, is enclosed.

I have the honor to be
Sir
Your most Obedient Servant

Superintendent of Inam
Settlement in Mysore.

(enclosure)

II
Deed 2574
480 of 02
Sl. 5

1906 R 4486

From

The Superintendent of Inam Settlements in Mysore

To The Secretary to the Government of Mysore General & Revenue Departments

Dated 24
Despatched 25
Received
April

General No. 119
No.

Enclosure No. One

Report on the claims to Toddy Revenue of the Inamdar of Kayrungutta Hyderabad in two villages in the Mysore Taluk.

enclosure to [illegible] above

[illegible] instructions to the [illegible]

other
Blocks marked in pencil to be printed the portions omitted being represented by Star marks

Register Sheet No 2.

Taluk Talakad
Hobli Mugur
Village Ayakanur
K.G.

× × ×

× × ×

× × ×

Col 13. × × ×

× × ×

5. [illegible]

× × ×

C - [illegible]
[illegible]

× ×

Col 14 -

× ×

6 -

5 [illegible]

Copy of the Register Form of the Kayamgatta

No of case.	General class to which the Kayamgutta village belongs,	Beriz of the village,	Description of Inam. If for service, it is to be stated whether the service is continued. If for buildings, &c., whether they are efficiently kept up.	Amount of Kayamgutta paid to Government.	By whom granted and in what year.
1	2	3	4	5	6
(Suppl. ZD. No 4) K. Gutta (ZD. No 1) Revd. Trial ZD. No 929	1. Personal	Rs. A. P. 549-4-9 = 1598-6-6	Personal benefit	P. A. P. 397-7-12 = 1157-2-6 Arrears Collection -359-3-12 = 161-13-0	By H.H. the Late Maharajah in 1826 & 1824.

village of Ayakmur in the

Written instruments in support of the claim, original sannad, all miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced or lost, &c, and the general specification of terms of all documents produced should be given.	Name of the original grantee.	Whether the village is entered in the Register of Kayamgutta Villages received from the Chief Commissioner's Office; if not, in what other accounts.
7	8	9

H.H. the maharajas Nirroop dated 9th August 1814. to Chika Rajiyah & Tayar Taluk intimating him the Grant of the Village of Ayakannoor Gunagannoor, & Nowalloor to Kristne Nro and directing to collect the revenue as per Patta. –

An authenticated Copy of Copy of H.H. the maharajas Nirroop of 30 April 1826 to the Amil of Tayur directing him not to resume Ayakannoor as was ordered along with the Gouttah Villages, but to continue it to Dalwai Nro from Veer Raja Nro.

H. Kayam Gutta list 1835.

Veer Rajiyah Nro

	P.	F.	V.
Kadim Beriz	391	7	11
Jadeed	157	6	14
	549	6	9.
Guttah	397	7	12

H.K. account 1837.

Ayakannoor.

	P.	F.	V.
Beriz	399	3	12
Vijiyadodi	1	6	0
	397	7	12

Present collection

399 – 3 – 12

Ro: 1161 – 13 – 0

Note.

The Survey valuation of the Village gives to each Kanam of the old beriz Viz Ro: 0-4-0 which is adopted in Valuing the Minor Inams.

(Signed) J.P. Grant.

15/12/99. Supdt of Inam Settlts. in Mysore

Sammat Mugum

Residence, name, age, &c., of the present owner.	Relation to original grantee.	If unconnected with the original holder, possession how obtained and in what year.
10	11	22
Mysore 1. Aswatthra narayana Saatry — 25. 2. Narasimhasaatry 15. 3. Sreecanta Saatry 10 Undivided	Sons of alience.	By Court sale

Need not be printed

Copies of the documents relied upon by the Inamdar of Hyakanoor Village and produced for evidence:—

1. Jamabandi Goshwara for 1821-22 ಆ ೨ ಪ್ರ.
2. Kulwar chitta for ---- 1831-32 ಆ ೨೬.
3. —— ಡಿಂ —— 1834-35 ಆ ೨೯೮.
4. —— ಡಿಂ —— 1843-44 ಆ ಹೊಂಗಭಕ್ತಿಕಾ
5. —— ಡಿಂ —— 1845-46 ಆ ವಿಶ್ವಾವಸು.
6. —— ಡಿಂ —— 1847-48 ಆ ಪ್ಲವಂಗ
7. —— ಡಿಂ —— 1848-49 ಆ ಕೀಲಕ
8. —— ಡಿಂ —— 1849-50 ಆ ಸೌಮ್ಯ
9. —— ಡಿಂ —— 1853-54 ಆ ಸಾಧಾರಣ
10. —— ಡಿಂ —— 1854-1855 ಆ ವಿರೋಧಿ.
11. —— ಡಿಂ —— 1855-56 ಆ ಪರಾಭವ
12. —— ಡಿಂ —— 1856-57 ಆ ಪ್ಲವ
13. —— ಡಿಂ —— 1857-58 ಆ ಶುಭಕೃತ್
14. —— ಡಿಂ —— 1858-59 ಆ ಶೋಭಕೃತ್
15. —— ಡಿಂ —— 1859-60 ಆ ಕ್ರೋಧಿ
16. —— ಡಿಂ —— 1860-61 ಆ ವಿಶ್ವಾವಸು
17. —— ಡಿಂ —— 1861-62 ಆ ಪರಾಭವ
18. —— ಡಿಂ —— 1862-63 ಆ ಪ್ಲವಂಗ
19. —— ಡಿಂ —— 1863-64 ಆ ಕೀಲಕ
20. —— ಡಿಂ —— 1864-65 ಆ ಸೌಮ್ಯ
21. —— ಡಿಂ —— 1865-66 ಆ ಸಾಧಾರಣ
22. Authenticated Copy of Nirup dated 30.4.1826.

Copy of Muchalikas executed by Government Contractors.

23. for the year 1-5-65 to 31-10-68 for 3 years & 6 months at Rs. 148-16-7 per year.
24. ಡಿಂ —— 1-4-70 to 31.3.75 for 5 years —— at Rs 132-0-0 per year.
25. ಡಿಂ —— 1-4-75 to 31.3.80 for 5 years —— at Rs. 186-1-0 per year.
26. ಡಿಂ — 16-5-79 to 31.3.81 for 1 year & 10½ months. at Rs 172-0-0 per year.
27. ಡಿಂ —— 1-4-81 to 31.3.84 for 3 years at Rs 172-0-0 per year.
28. ಡಿಂ — 1-4-84 to 31.3.87 for 3 years. at Rs 172-0-0 per year.
29. Vide Decree of the Deputy Commissioner for Rs 333-4-0 due for the 2 years from 1-4-87 to 31.3.89 in favor of the Inamdar against Chicka Muddappa Confirmed by Government in order No 1193 dated 26.3.90 —— } at Rs 166-100 per year.
30. Vide Decree in Mis: No. 20 of 91-92 on the file of the Deputy Commissioner, Mysore District for Rs 338-8-8 in favor of the Inamdar against Selvachala Mooliar for 22 months from 1-4-90 to 31.3.1892 —— } 338-8-0

29.4.07

A.D.I. for Deputy Commissioner

Taluk Talakad

Assistant's opinion and recommendation.

13

1. Whole grant - Kayamgootta - join Valid.

2. This & since other Villages were granted to Kristne Urs, between 1814 & 1826, these were ordered to be Sifted and given to Patails for cultivation, but before the order was carried into effect, H.H the late Maharajah directed its restoration to Veerraje Urs on Gootta tenure - The last incumbents family enjoyed the Village till 1860, when this was directed to be sold by public Auction for the satisfaction of the Courts decree against the said Veera Raje Urs orig.l Suit No 10 of 1857, and was purchased by Kasipathi Sastry for Rs: 1255 as per Amilo yadast to the purchaser of 30th June 1860 from the Amil produced. The list quoted in Col: 9 clearly shows that this is a Kayamgootta Village.

3. From the account quoted in Col: 9 it would be seen that 16 fanams was deducted from the Gootah on account of "Bhoosa" but this was not approved by the then Chief Commissioner and it was directed that it should be credited to Government hence the Gootta Amount Viz Fs 399-3-12 is Collected in full.

4. To be confirmed on the existing Gootah Amount Viz Rs: 1161-13-0 or Rs: 1162, avoiding fractions.

The

District of Mysore

---

5. The items of Sayr, Kandi and Dorin are forest except Kandal are enjoyed by the Goottidar.
6. Local Fund & Irrigation cess are payable.
7. A Copy of notification No 292 has been given to part 3 no 1 in Column 10
8. A Valuation Survey is desired.
9. Boundary disputes if any will be disposed of by the Survey Department -

(Signed) B. Rajalopanliah

11/7/79.

A. Independt Inams.
Chakra Inam.
B. Under grant alienations.
Unnoticed.
C. Items enjoyed.
Land, Amrayi, Mohatarfa, Sayr & Kandi.
D. Statistics.
Taluk - 1
Houses - 142
Dakhalikhoondi - 1.
Population - 958
Cattle - 763

10. The original Sanad quoted in Col: 7 was found in the Taluk Cutcherry - The 2nd Nerooj not to be found.

(Signed) B Rajalopanliah

Review and Confirmation by the Superintendt of Inam Settlements.

(Col: 14)

1. In the Nimsp of 1814 the words "Kayamgoottah" are not used, but it is directed that the Jamabandy Amount should be Collected as per Pattah, but in the Nimsp of 1826 the resumed Villages are alluded to as "Goottah" Villages. This Village has, however, been so held for upwards of 50 years.

2. Column 3 is not properly filled up.

3. In Col: 5 the equivalent in rupees is wrongly given.

4. The Assistant Concedes the right to Sayr, Toddy and Forests, except Sandal, though no such are given in the Nimps. The Assistant will note what items are now enjoyed and the Amount of each per Annum, & on what authority

(Signed) Robt Cole
23d July 1872 Asst to Supt Inam Settlt.

5. Para-2. Correct figures filled up
" 3 - Corrected.
" (4) Although no mention is made in the documents of the items of Sayr quoted in Col: 7 of the items of Sayr and Rent, Yet the Incumbents have been

(Col: 4 Cont.d)

been enjoying them ever since the Village was granted; no other documents are forthcoming in support of this except the Taluk Chittah Jamabandy Goshwara of 1852, an extract of which is herewith submitted. From the Dassala Kuttuvali statement furnished by the Goottadar it appears that he has been receiving annually from 10 to 59 Rs: on account of Varys 132 to 216 on account of Rudis. The original statement is submitted for perusal.

(Signed) B. Rajeshpandeh
7-8-79.

6. The Assistant to note whether the Amil has verified the above amount of receipts, and to obtain from the Amil a statement of the past 5 years collections.

(Signed) Robt Cole
Asst to Collr in Salem.
11th August 1879.

7. Vide Amils' Report of 18th December 1879. No. 565. The Varys Collections will be allowed to the Holders of 1/2 to their Successors, or the 2nd Life after which to lapse to Government.

8. Show me the Summary again.

(Initialed) Robt Cole

Closed
21 Jany 1880

Summary

(Col: 14 Contd)

9. Ramad Rent Roll not given, but enjoyment is proved as above.

/Initialed/ Robt Cole.
Supdt of Inam Settlement

13-3-80.

10. Confirmed on the existing Guttah, or Rs: 1162, Amount subject to all Local Fund & Irrigation Cess.

11. All Government rights to Abkari and Forests are reserved.

12. A Valuation Survey is desired.

/Signed/ Robt Cole
Supdt of Inam Settlt.

Davenhally
15 March 1880

13. Revised as per the Government Proceedings No 14223-5 / P.F. 100-93 dated 17th February 1894.

14. Vide the statement received with the Survey Superintendents Yadi No 287 of 28th June 1899. —

	A.	G	Rs	A	P
Total area & assessment	1238.	30	1226	12	—
Deduct for a minor Inam	19.	33	10	—	—
Balance	1218.	37	1216	12	—

Particulars

(Col: 14 Contd)

Particulars	A. G. Rs a. P
Unculturable	110.2 – 1 – " "
Dry Cultivated	930.2 – 1081 – " "
Culturable (waste)	147.27 – 38 – 12 – " ¼ Assessed
Garden Cultivated	31 – 6 – 96 – " "
Total	1218.37 – 1216 – 12 – "

15 Finally Confirmed on the existing Gottah of Rupees 1162 – " "

(Signed) J. P. Grant.
Supdt of Inam Settlt.

15/12/99.

"Copy

Inam Settlt Office
Bangalore dy 25th April 1906

J. P. Grant
Superintendent of
Inam Settlement
in Mysore.

Comp d.

Letter R 61 A-3-46

No. 4719 Physical ~~OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.~~

DATED BANGALORE, 19th June 1907.

From

P.N.Purnaiya Esquire, B.A.

Excise Commissioner in Mysore.

To

C.S.Balasundram Iyar Esquire, B.A.

Secretary to the Government of His Highness the Maharaja of Mysore,

General and Revenue Departments.

Sir,

In continuation of this office No.439, dated 13th March 1906 regarding the Inamdar's claim to the Excise revenue from toddy of Kayamgutha Hyaknur village in the T. Narsipur Taluk, I have the honor to state that in the Jamabandi Chitta of the village for the year Vishu 1821-22 the collection on account of "Shendi gutha" is included. The record produced by the Inamdar show uninterrupted enjoyment of the Excise revenue from toddy by the Inamdar from 1831-32 to 1892, that is up to the very date when the farming out of the toddy revenue was undertaken by Government.

2. From a perusal of the Inam Settlement Register of enquiry of the village it will be observed that in column 20 the Inam Superintendent Colonel Robert Cole has recorded that "all Government rights to Abkari and Forests are reserved" But in this case "Abkari" does not appear to have been used in the sense of including all items of Excise revenue. The correspondence relating to the right of the Inamdar to the Sayer and toddy rights referred to in column 19 has ended in a decision about Sayer but nothing has been said about toddy. The Inam Special Assistant is in favor of conceding the toddy right to the Inamdar for the reason that it has been in the enjoyment of the Inamdar from a long time.

3. In these circumstances I beg to submit that the

Inam

Inam Settlement is not unfavorable to the Inamdar and he has adduced proof of enjoyment for more than fifty years prior to 1892-93. The case, therefore, falls under rule 20 of the Government order of the 2nd August 1901 and the village is entitled to the Excise revenue from toddy as recommended by the investigating officer.

4. There is a toddy shop and a date grove in the village and the revenue is payable under Rules 2, 5, 9 and 12 of Government Proceedings No.2074-83/R.F.16-92, dated 2nd August 1901. On receipt of Government orders on the claim a refund bill for the amount payable to the Inamdar will be submitted for the sanction of Government.

5. The file of records received with the Deputy Commissioner's docket No.397, dated 1st May 1907 is herewith submitted for reference.

I have the honor to be,

Sir,

Your most obedient servant

J M Durrant

Excise Commissioner

in Mysore.

B.R.

1. Kulwar Chitta for the year 1843-44 (ಕುಲವಾರ ಚಿಟ್ಟಾ) is initialled by the Amildar on the 7th Dec 1871.
2. Do of the year 1859-60 (೨೮೫೯-೬೦) is signed by one Nanjappa Shanabhogue.
3. Do- of the year 1863-64 (೧೮೬೩-೬೪) ——— Do ———

enclosure 190

From
The Deputy Commissioner
Mysore District

To
The Excise Commissioner
in Mysore.

Dated 30th April 1907.
Despatched 1st May 1907.
Received
General No. 397
No. Excise

Enclosure No. 1 File.

His docket No 1306 dated 20th September 1906, returning the records relating to the Inamdar's claim to the Toddy Revenue of the Hyakanur village T. Narsipur Taluk.

In retransmitting the records received with the docket under reference, has the honor to forward herewith, with fourth the authenticated copies of the records relied upon by the Inamdar by his long enjoyment of Excise Revenue and to state that out of the Extracts of "Jamabandi Goshwara and Kulawar Chittas" for 21 years, produced before this office, the originals of only the years, noted in the margin, bear attestation and the rest are not so attested.

As per Jamabandi Goshwara for the year "Vishu" 1821 authenticated

MGOPB 50 reams 6-12-02.

(authenticated copy of which is herein enclosed) the Boring of the village includes 25 Pagodas but not 19 as defined by the Inamdar.

The Inamdar states that he bought the village at Court sale and he is not able to produce the title deed and the original Sanad and in the absence of which any evidence to prove the uninterrupted enjoyment of Excise Revenue of the village during the years 1822-23 to 1830-31, 1842-43, 1844-45, 1846-47, 1850-51, 1851-52 and 1852-53, as stated in his written statement dated 16th November 1901 is not adducible.

The Government order No 1193 dated 26th March 1891, does not finally uphold the claims of the Inamdar to the Toddy Revenue. The Copy of the then Deputy Commissioner, Mr. T. Ananda Rao's decision in Rev. Mis. Case No 6 of 1888-89, against which an appeal was preferred and on which the above order was issued by Government, is also furnished herein for the information of the Excise Commissioner.

(Signed) M. Kantharaj Urs
Deputy Commissioner
Mysore District

"Copy"

[illegible]
For Excise Commissioner.

enclosure (2)

In the court of the deputy
Commissioner, Mysore District

Rev Mis. case no: 6 of 1888-1889.

Present. T Ananda Rao Esquire, B.A.

Claiment

Aswathanarayan Shastry
Kayamgnttadar of
Hyakanna village,
T. Narasipur Taluk.

vs

Messrs, Q.C.
Muddappa &c
Toddy contractors
Mysore District

1st March 89 Mysore.

1 claimant Aswatha narayan Shastry
is examined.

2. Respondent Mr Chikkamuddappa
Examined

14

Judgment.

Aswatha narayan Shastry Inamdar
of Hyakanna village in T. Narasipur
Taluk claims from the Toddy contractor
of the Mysore District on account
of the Toddy revenue of his village
at the rate of Rs 13. 14. 2 per mensem

from 1st April 1887 upto date say
31st March 1889, which is at ——
Rs 166-10-0 per annum or Rs 333-4-0
for the two years together.

2. The Samud of the Village has
not been produced. The claimant
bought the Village at Court-Sale.
The Village is named in the list of
Inam Villages the holders of which
are recorded in the Inam Register
as having the right to levy Revenue
received from the Inam Superintendent
with his docket no: 76 dated 4th December
last. But the authenticated copy
of the Kayamgutta Register of the
Village received through the Amildar
in the course of reports of inquiries
which are being instituted, there
seems to have been some discussion
in the department as to the Inamdar's
right to Sayar and Abkari the present

of which was the Inam Superintendent's final order "All Government rights to Sbkari and Sayer are reserved". In these circumstances I accept the last mentioned evidence and hold that the Inamdar is not entitled to toddy revenue of his village

13. Exhibit J being copy of an order No: 87 dated 21st May 1870 issued to the Inamdar by the deputy Superintendent of the district is an instructive document showing that the Inamdar's right even to draw toddy (now conceded for the purpose of manufacturing jaggery) was then denied.

4. But the previous Government toddy contractors have been paying the Kayamgnttadar the rate paid by the latest contractors Davy Muddappa & Co

& co. upto 31st March 1887 being Rs 13.14.2 per mensem (see exhibit G) which is Rs 164-00-0 per annum. There are dale groves in the village and the lake contractors tapped them and drew toddy. The lake contractors had also established a shop in the village and sold toddy there under license. Vide exhibit N. The present contractor (Respondent) finding that the payment to the Dramdar was too high and finding no need for his toddy gave him notice on 14th April 87 that he did not want his toddy. The Respondent says that though the Dramdar's toddy might possibly have been drawn for a few days in April, it was not drawn after April. The claimant also in effect admits that there is no proof

x Vide Statement received with Amildar's report no: 401 of 4th January 1889 which shows that there are about 1800 trees (Exhibit M)

of the respondent's people drawing toddy after 23rd April. As to vending toddy within the limits of the claimant's village there is conflict. The claimant says that the respondent has been selling toddy there. The respondent denies this and says that what is established within the village limits is not a shop but a depot. (where toddy is collected from Various places and whence it is distributed to various shops. No license has been taken out for a shop at Nyakanur and the claimant has collected no Mohatarfa Shop-tax. Sale if there has been a sale has been illicit and indictable. Even if claimant were entitled to payment for a shop

shop if established in one course he cannot be awarded profits out of an illicit and indictable transaction.

5. It being probable that the claimant's today was taken for one month (April 1887) the question is whether claimant is entitled to any payment on this account. On one view he is viz that in which the claimant's tenure of the village is analogous in this respect to the tenure of occupied lands in a settled taluk. On this view he is entitled to a rent for the use of his date gravel what may that amount to? It cannot exceed Rs 13-14-2 which the previous contractors were paying and which represents excise plus Rent.

There is no means of determining the relative values of these two component items. In the circumstances of this case they may be taken to be as 1 to 3. The rent would then amount to $\frac{3}{4}$ths of Rs 13-14-2 i.e Rs 10.6.9

6. But payment to the claimant is by standing orders to be only in deference to rights as already ascertained and defined of the holders of alienated 17 Villages who are authorized by Samad &c to exercise such rights within their villages - and as stated in para 2 above the claimant in this case has no right to the body Revenues of his village. The claim is therefore dismissed.

(Signed) T. Ananda Rau
Deputy Commissioner
20th March 29.

"Copy"

W. W. Rockhill

Deputy Commissioner

Mysore District.

C.D.

G.R.S. 28]

File No. 48-02

Serial No. 7

Diary No. of letter replied to 5546

Proceedings of the Government of His Highness the Maharaja of Mysore.

GENERAL AND REVENUE SECRETARIAT.

(8½)

the 190

Date of issue 30 January 1908

Signed by [illegible]

Correspondence sent herewith original with the proceedings of the order

READ.— The Correspondence ending with letter No 479 of 19th June 1907 from the Resident in Mysore (with the enclosure in Correspondence thereto) from the Assistant Registrar of Co-operative Societies Mysore

ORDER THEREON. No. Order thereon No H 3753-5 dated 30 January 1908

This is a case in which the holders of the

over

SUBJECT

alienated village is
not entitled to the land
revenue of the village ~~either~~
~~selection~~ under the
Inam or under the
Inam Settlement Act
it is evident that he
has long been in
enjoyment of it. The
Inam Assistants rules
of 11th July 1879 and 7th August 1879
show this. The Report
by Bomen Judgment
in Revenue Case no 6 of
1888-89 shows that a
series of Govt Land
Contractors have executed
Agreements to the Inamdar
binding themselves in
various Agreements which
in the circumstances
may fairly be taken
to include both Forest
& Excise, for there has

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation Sheet draft form.*)

a Cocoanut tree in the village as well as Date trees

It is thus a case falling under Rule 20 of the Rules of 1901. The Todar revenue of the village in question is therefore Corrected in full to the present holder and in one moiety to his predecessor in title

28/12/1907

Put up

23/12/07 18 Dec Offg Secy

The Revenue Comr returning record

The Comptroller

The Accountant

23/12/07

28/12/07

+ Sent in a separate Cover on 24/12/07 as the Secretariat had not returned it with the order

24/12/07

MGCPB—30,000—5-4-05.

Proceedings of the Government of His Highneess the Maharaja of Mysore.

READ—

The following correspondence ending with letter No. 4719, dated 19th June 1907, from the Excise Commissioner in Mysore:—

Letter No. 4574—242, dated 7—11th February 1903, from P. N. Purnaiya, Esq., Excise Commissioner in Mysore, to H. V. Nanjundayya, Esq., Secretary to Government, General and Revenue Departments.

In submitting herewith the record of enquiry relating to the toddy revenue of Hyakanur Kayamgutta village, T.-Narsipur Taluk, I have the honor to state that the investigating officer's opinion that the Inam Settlement has conceded toddy revenue to the Kayamguttadar, is incorrect. The sannad of the village has not conceded abkari revenue to the Kayamguttadar. The Superintendent of Inam Settlements after finally reading the sannad has ordered on 15th March 1880 "all Government rights to Abkari and Forests are reserved." Accordingly only one-fifth of the rent of the "Grove Farm" is payable to the Kayamguttadar under Rule 4 in Government Proceedings No. 2074-83—R. F. 166-92, dated 2nd August 1901.

Docket No. 706, dated 16th June 1903, to the Excise Commissioner in Mysore.

His letter No. 4574-242, dated 7—11th February 1903, submitting the record of enquiry relating to the Inamdar's claim to the toddy revenue of the Hyakanur Kayamgutta village in the T.-Narsipur Taluk.

In returning the enclosures received with the above has the honor to request that he will be good enough to report as to why the Inamdar was allowed to enjoy the toddy revenue without break notwithstanding the reservation of the revenue to Government at the Inam Settlement.

It should also be reported how far the papers referred to by the Inamdar support his claim. The amount due to the Inamdar for past years under the various systems of toddy administration and the amount already advanced to him, if any, should be ascertained and specified in the calendar accompanying the record.

Letter No. 439, dated Bangalore, 13—15th March 1906, from P.N. Purnaiya, Esq., B.A., *Excise Commissioner in Mysore, to B. K. Venkatavaradiengar, Esq., Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Departments.*

Adverting to your docket No. 706—Ex. F. 12-01, dated 16th June 1903, anent the Inamdar's claim to the toddy revenue of the Hyakanur Kayamgutta village, T.-Narsipur Taluk, I have the honor to state that no proper explanation could now be found for the Inamdar having been allowed to enjoy toddy revenue previous to 1892-93. The present system of selling inam shops individually was not in force then and the Inamdars were settling the business with the Government monopolists.

2. The papers referred to by the Inamdar would bring the case under Rule 20 of Government Proceedings No. 2074-83—R. F. 166-92, dated 12th August 1901. I would defer my opinion in the matter till I refer to the Jamabandi Chitta of the village for the years Vishu (1821-22) and Parthiva (1825-26) which may kindly be forwarded for reference.

3. Copies of the Deputy Commissioner's Nos. 231, dated 9th January 1904 and 98, dated 28th February 1906, are submitted with their enclosures.

ENCLOSURE (1).

Docket No. 231, dated 9th January 1904, from B. K. Venkatavaradaiengar, Esq., Deputy Commissioner, Mysore District, to P. N. Purnaiya, Esq., B.A., *Excise Commissioner in Mysore.*

His Office Memo No. 7728—263, dated the 18th June 1903, returning the records of enquiry into the claims of the Inamdar of the Hyakanur village in the T.-Narsipur Taluk to its toddy revenue for furnishing further particulars.

With reference to the above has the honor to state that the documents mentioned by the Inamdar in the list furnished by him show that the Inamdar has long been in enjoyment of the toddy revenue of the village. In the copy of the list of the villages entitled to toddy revenue furnished by the Inam Superintendent the above Hyakanur village is included; and an extract therefrom is herewith forwarded for information. It will, therefore, be seen that the Inamdar is entitled to the toddy revenue of the village.

Proceedings of the Government of His Highness the Maharaja of Mysore,

2. The financial statistics of the village have been called for from the Amildar concerned and a statement in the form prescribed by the Excise Commissioner will be prepared and forwarded as soon as the Amildar's reply is received.

3. The records received with the above are herewith returned.

4. A memo of facts urged by the Inamdar in proof of his claim to the toddy revenue of the village is also herewith transmitted.

ENCLOSURE (2).

Letter No. 98, dated 28th February 1906, from H. H. Sparkes, Esq., Deputy Commissioner, Mysore District, to P. N. Purnaiya, Esq., B.A., *Excise Commissioner in Mysore.*

With reference to your docket No. 6053—220, dated 24th January 1904, anent the toddy revenue due to the Inamdar of Hyakanur, T.-Narsipur Taluk, I have the honor to state that the exact amount payable to the Inamdar under the various systems cannot be calculated before the Inamdar's title to Excise revenue is settled by Government. As per Rule 4 of Government Order No. 2074-83—R. F. 166-92, dated 2nd August 1901, $\frac{4}{5}$ of the grove rent will have to be deducted if the Inamdar is not entitled to Excise revenue and this can only be done after the claim is disallowed by Government. The amount advanced to him has been entered. The records are herewith resubmitted.

Letter No. Fl. 6593, dated 7th April 1906, to the Superintendent of Inam Settlements.

With reference to the Inamdar's claim to the toddy revenue of the Kayamgutta Hyakanur village in the T.-Narsipur Taluk of the Mysore District, I am to observe that this village is included in the list of the villages entitled to toddy revenue, furnished from your office to the Deputy Commissioner of the Mysore District in December 1888, while the Inam Settlement conducted in the year 1879-80 has reserved to Government the abkari revenue of the above village and to enquire how the discrepancy can be reconciled. I am also to request the favor of being informed whether the terms of the settlement were not communicated to the Inamdar and the local authorities.

Letter No. 119—E. 1, dated Bangalore, 24th and 25th April 1906, from the Inam Superintendent to the Secretary to the Government of Mysore, General and Revenue Departments.

With reference to your letter No. Fl. 6593—S. R. 48-02-4, dated 7th April 1906, I have the honor to state that inasmuch as toddy, as distinct from Abkari, was not reserved, it was regarded as conceded. In the Settlement Register, the term "abkari" meant all other items of Excise revenue except toddy; and the village was, therefore, included in the list sent to the Deputy Commissioner in 1888.

2. It was not usual to communicate the parties the terms of the settlement.

3. A copy of the Inam Register of the village in question is enclosed.

ENCLOSURE TO THE ABOVE.

* * * *
* * * *
* * * *
Column 13 * * * *
* * * *

5. The items of sayer, sendi and ordinary forests except sandal are enjoyed by the guttadar.

(Sd.) B. RAJAGOPALAIYA.

11-7-79.

---

* * * *

C. Items enjoyed.

Land, Amrayi, Mohatarfa, Sayer and Sendi.

* * * *
* * * *
Column 14 * * * *

Financial, (Separate Revenue), dated 30th January 1908.

4. The Assistant concedes the right to sayer, toddy and forests, except sandal, though no such are given in the Nirups. The Assistant will note what items are now enjoyed and the amount of each per annum, and on what authority.

(Sd.) ROBERT COLE,

23-7-79. *Superintendent of Inam Settlements.*

---

4. Although no mention is made in the documents quoted in column 7 of the items of sayer and sendi, yet the Inamdars have been enjoying them ever since the village was granted, no other documents are forth coming in support of this except the Taluk Chitta Jamabandi Goshwara of 1852, an extract of which is herewith submitted. From the Dassala Huttuvali statement furnished by the Guttadars it appears that he has been receiving annually from Rs. 10 to 59 on account of sayer 132 to 216 on account of sendi. The original statement is submitted for perusal.

(Sd.) B. RAJAGOPALAIYA.

7-8-79.

---

11. All Government rights to Abkari and Forests are reserved.

12. * * * *

(Sd.) ROBT. COLE,

Superintendent of Inam Settlements.

Devanhalli, 15th March 1880.

Letter No. 4719, dated 19th June 1907, from P. N. Purnaiya, Esq., B. A., *Excise Commissioner in Mysore, to C. S Balasundaram Iyar, Esq.,* B. A., *Offg. Secretary to the Government of His Highness the Maharaja of Mysore, General and Revenue Departments.*

In continuation of this office No. 439, dated 13th March 1906, regarding the Inamdar's claim to the Excise revenue from toddy of Kayamgutta Hyakanur village in the T.-Narsipur Taluk, I have the honor to state that in the Jamabandi Chitta of the village for the year Vishu 1821-22 the collection on account of "Shendi gutta" is included. The record produced by the Inamdar show uninterrupted enjoyment of the Excise revenue from toddy by the Inamdar from 1831-32 to 1892, that is up to the very date when the farming out of the toddy revenue was undertaken by Government.

2. From a perusal of the Inam Settelment Register of enquiry of the village it will be observed that in column 20 the Inam Superintendent, Colonel Robert Cole, has recorded that "all Government rights to Abkari and Forests are reserved." But in this case "Abkari" does not appear to have been used in the sense of including all items of Excise revenue. The correspondence relating to the right of the Inamdar to the sayer and toddy rights referred to in column 19 has ended in a decision about sayer but nothing has been said about toddy. The Inam Special Assistant is in favor of conceding the toddy right to the Inamdar for the reason that it has been in the enjoyment of the Inamdar from a long time.

3. In these circumstances I beg to submit that the Inam Settlement is not unfavorable to the Inamdar and he has adduced proof of enjoyment for more than fifty years prior to 1892-93. The case, therefore, falls under Rule 20 of the Government Order of the 2nd August 1901 and the village is entitled to the Excise revenue from toddy as recommended by the investigating officer.

4 There is a toddy shop and a date grove in the village and the revenue is payable under Rules 2, 5, 9 and 12 of Government Proceedings No. 2074-83—R. F. 166-92, dated 2nd August 1901. On receipt of Government orders on the claim a refund bill for the amount payable to the Inamdar will be submitted for the sanction of Government.

5 The file of records received with the Deputy Commissioner's docket No. 397, dated 1st May 1907, is herewith submitted for reference.

No. Fl. 3753-5—S. R. 48-02-7, DATED BANGALORE, 30TH JANUARY 1908.

ORDER THEREON.—This is a case in which the holder of the alienated village is not entitled to the toddy revenue of the village either under the sannad or under the Inam Settlement. But it is evident that he has long been in enjoyment of it.

The Inam Assistant's notes dated 11th July 1879 and 7th August 1879 show this. The Mysore Deputy Commissioner's judgment in Revenue Case No. 6 of 1888-89 shows that a series of Government toddy contractors have executed agreements to the Inamdar binding themselves in varying amounts which in the circumstances may fairly be taken to include both tree-rent and Excise, for there has always been a toddy shop in the village as well as date trees. It is thus a case falling under Rule 20 of the rules of 1901. The toddy revenue of the village in question is therefore conceded in full to the present holder and in one moiety to his successor in title.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Excise Commissioner in Mysore, returning record.
The Comptroller, Mysore Government.
The Inam Superintendent in Mysore.

Exd.—C. P. S.